

1 HONORABLE RICHARD A. JONES  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 IN RE COPYRIGHT INFRINGEMENT  
11 ACTIONS BROUGHT BY DALLAS  
12 BUYERS CLUB, LLC,

13 CASE NOS. C14-1153RAJ, C14-  
14 1336RAJ, C14-1402RAJ, C14-  
15 1684RAJ

16 ORDER

17 In each of the above-captioned actions, the copyright holder for the motion picture  
18 *Dallas Buyers Club* has sued a collection of John Doe Defendants for unlawfully copying  
19 or distributing electronic copies of the motion picture using peer-to-peer file sharing  
20 services on the internet.

21 Plaintiff initially was unable to name any of the Defendants because it could  
22 identify them only by the internet protocol (“IP”) addresses that they used to copy or  
23 distribute the motion picture. After issuing subpoenas to various internet service  
24 providers, Plaintiff has now identified at least some of the John Doe Defendants, and  
25 some of them have reached settlement agreements with Plaintiff.

26 Four of those Defendants have agreed to a permanent injunction. A permanent  
27 injunction typically comes after or in conjunction with a judgment against the enjoined  
28 party. There will be no judgment as to these four Defendants, because each of them  
expressly denies liability in the stipulation incorporated in the proposed injunction. The  
parties also insist that the court enjoin these Defendants even though they will not reveal  
the name of the Defendant or where he or she resides. At least two of the proposed  
injunctions would enjoin not only an unknown person in an unknown location, but also

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1 unidentified persons “acting in concert” with him or her. Moreover, the injunctive  
2 portion of each stipulated injunction consists of an agreement to abide by the law  
3 protecting Plaintiff’s motion picture and to destroy any copy of that motion picture still in  
4 the Defendant’s possession. No injunction admits that such a copy exists.

5 None of the motions suffice to establish a basis for the entry of a permanent  
6 injunction. Indeed, none of them mention the standard for imposition of a permanent  
7 injunction. The court encourages the resolution of disputes, but the court declines to affix  
8 its imprimatur to an injunction order (which comes with the consequence of civil  
9 contempt for violations) under these circumstances. The court will not enjoin parties  
10 unknown to it, it will not enter a permanent injunction absent a judgment unless the  
11 parties cite authority permitting the court to do so, and it will not enter an injunction that  
12 has no effect other than to require the parties to follow the law.

13 The court DENIES all of the stipulated motions for permanent injunction. This  
14 order applies to the following motions: Case No. C14-1153, Dkt. # 14; Case No. C14-  
15 1336, Dkt. # 14; and Case No. C14-1402 Dkt. ## 12, 14.

16 DATED this 6th day of November, 2014.

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20 The Honorable Richard A. Jones  
21 United States District Court Judge  
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